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PATENT

Attorney Docket No.: 41934/23838

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of
John Nelson, *et al.*

Serial No. 09/673,785

Filing Date: December 29, 2000

For: PEPTIDE FRAGMENTS OF MURINE EPIDERMAL
GROWTH FACTOR AS LAMININ RECEPTOR TARGETS

Group Art Unit:
1656

Examiner:
Chih Min KAM

Confirmation No.:
4216

PETITION TO EXPUNGE RECORDED ASSIGNMENT (37 CFR 1.49(b))

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a petition under 37 CFR 1.59(b) to expunge from the assignment records the assignment document filed at Reel/Frame 013202/0635 (Exhibit 1) from the assignment records of the United States Patent and Trademark Office. The grounds for the petition are as follows.

On November 15 or 16, 2003, each inventor assigned his entire right title and interest in the subject application to The Queen's University of Belfast, having an address of 8 Malone Road, Belfast BT9 5BN, United Kingdom. The aforesaid assignment was recorded at Reel/Frame 011438/0741 (3 pages) on January 8, 2001 (Exhibit 2).

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)	
I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
BY	<u>Shannon R. Smith</u>
DATE:	<u>10/31/2005</u>

10/06/2005 TBESHAH1 00000016 09673785
01 FC:1464
130.00 OP
10/06/2005 TBESHAH1 00000016 09673785
01 FC:1464
130.00 OP

Despite the fact that the inventors' rights in the application were already assigned to The Queen's University of Belfast by virtue of the Exhibit 2 assignment, the inventors subsequently on May 30, 2002 executed a further assignment to the same institution (Exhibit 1). The Exhibit 1 assignment was recorded at the USPTO on August 14, 2002 under Reel/Frame 013202/0635 (3 pages). Although the Exhibit 1 assignment on its face does not identify the application by serial number, the application was identified by predecessor counsel's docket number, 41934/23838.

It is respectfully submitted that the Exhibit 1 assignment is a nullity, as the inventors/assignors had already conveyed all their right, title and interest to the invention to The Queen's University of Belfast at the time the Exhibit 1 assignment was executed. The Exhibit 1 assignment was executed by the inventors/assignors, and recorded at the USPTO, through error.

In view of the above, expungement of the assignment recorded August 14, 2002 at Reel/Frame 013202/0635 (3 pages) is respectfully requested.

Submitted herewith is a check in satisfaction of the fee set forth in 37 CFR 1.17(h). No other fees are believed due. If a further fee is due, kindly charge the same to deposit account 50-0573.

Respectfully submitted,

JOHN NELSON, *et al*

By: 

DANIEL A. MONACO
Registration No. 30,480
Drinker Biddle & Reath LLP
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6996
(215) 988-3312 – Phone
(215) 988-2757 - Fax
Attorney for the Applicants



UNITED STATES
PATENT AND
TRADEMARK OFFICE

OCTOBER 29, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

THOMPSON COBURN LLP
PAUL A. LESKO
ONE US BANK PLAZA,
SUITE 3500
ST. LOUIS, MO 63101-9928



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/14/2002

REEL/FRAME: 013202/0635
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

NELSON, JOHN

DOC DATE: 05/30/2002

ASSIGNOR:

WALKER, BRIAN

DOC DATE: 05/30/2002

ASSIGNOR:

MCFERRAN, NEIL

DOC DATE: 05/30/2002

ASSIGNOR:

HARRIOTT, PATRICK

DOC DATE: 05/30/2002

ASSIGNEE:

QUEEN'S UNIVERSITY OF BELFAST, THE
8 MALONE ROAD
UNIVERSITY OF THE STATE OF IRELAND
BELFAST BT9 5N, IRELAND

SERIAL NUMBER: 09673785
PATENT NUMBER:

FILING DATE: 12/29/2000
ISSUE DATE:

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Thompson Coburn LLP

013202/0635 PAGE 2

SAUNDRA BALLENGER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

08-16-02

D#

Express Mail No.

Form PTO-1595
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)

08-22-2002

HEET U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

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To the Honorable Commissioner of



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ached original documents or copy thereof.

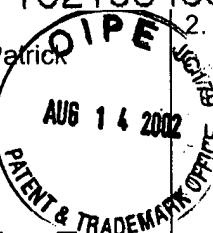
1. Name of conveying party(ies):
John Nelson; Brian Walker; Neil McFerran; Patrick Harriott

2. Name and address of receiving party(ies)

Name: The Queen's University of Belfast

Internal Address: University of the State of Ireland

8.14.02



Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other _____

Street Address: 8 Malone Road

City: _____ State: _____ Zip: _____

Execution Date: May 30, 2002

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)
09/673,785

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Paul A. Lesko Reg. No. 45,364

Internal Address: Thompson Coburn LLP

Street Address: One US Bank Plaza, Suite 3500

City: St. Louis State: MO Zip: 63101-9928

6. Total number of application and patents involved: ☐

7. Total fee (37 CFR 3.41) \$ 40.00

- ☒ Enclosed
- ☐ Authorized to be charged to deposit account

8. Deposit account number:

20-0823

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

08/21/2002 DBYRNE 00000083 09673785

Paul A. Lesko
Name of Person Signing

Signature

August 14, 2002
Date

Total number of pages including cover sheet, attachments, and documents: ☐

Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments, Washington, D.C. 20231

ASSIGNMENT

Serial No.:

Filed:

Case No.: 41934/23838

In consideration of One Dollar and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby assigns to The Queen's University Of Belfast, a University of the State of Ireland, having a principal place of business at 8 Malone Road, Belfast BT9 5BN Ireland, its successors and assigns (hereinafter called "said Assignee"), the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, entitled **PEPTIDE FRAGMENTS OF MURINE EPIDERMAL GROWTH FACTOR AS LAMININ RECEPTOR TARGETS** executed by the undersigned on the 30th day of May, 2000, and in said application and any and all other applications for United States Letters Patent, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States which may be obtained on any of said applications, and in any reissue or extension thereof.

The undersigned hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to said Assignee.

The undersigned hereby authorizes and requests the attorneys of record in said application to insert in this assignment the filing date, serial number and case number of said application.

For said considerations, the undersigned hereby agrees, upon the request and at the expense of said Assignee, to execute any divisional, continuation, continuation-in-part or substitute application for said invention or improvements, and any oath or affidavit relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application, and, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the undersigned in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. The undersigned agrees to perform, upon request, any affirmative acts to obtain said Letters Patent of the United States and vest in said Assignee all rights therein, whereby said Letters Patent will be held and enjoyed by said Assignee, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment has not been made.

And for said consideration, the undersigned hereby assigns to said Assignee the entire right, title and interest in said invention or improvements for all foreign countries, including all priority rights under

the International Convention, and agrees to execute, at the request of said Assignee, all documents in connection with any application for foreign Letters Patent therefor.

WITNESS: AMG Dawg
Date: 30th May 2002

John Nelson
John Nelson

WITNESS: AMG Dawg
Date: 30th May 2002

Brian Walker
Brian Walker

WITNESS: Derob Au
Date: 30th May 2002

N.V.M. Ferran
Neil McFerran

WITNESS: Brett Greer
Date: 30/5/02

P. Harriott
Patrick Harriott



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MARCH 30, 2001

THOMPSON COBURN LLP
PAUL A. LESKO
ONE FIRSTAR PLAZA
ST. LOUIS, MO 63101

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THOMPSON COBURN



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**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/08/2001

REEL/FRAME: 011438/0741

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
NELSON, JOHN

DOC DATE: 11/16/2000

ASSIGNOR:
WALKER, BRIAN

DOC DATE: 11/16/2000

ASSIGNOR:
MCFERRAN, NEIL

DOC DATE: 11/15/2000

ASSIGNOR:
HARRIOTT, PATRICK

DOC DATE: 11/16/2000

ASSIGNEE:
QUEEN'S UNIVERSITY OF BELFAST, THE
8 MALONE ROAD
BELFAST BT9 5BN, UNITED KINGDOM

SERIAL NUMBER: 09673785
PATENT NUMBER:

FILING DATE: 12/29/2000
ISSUE DATE:

011438/0741 PAGE 2

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

01-23-2001

Pocket No.: 41934/23838

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



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To the Honorable Commissioner of Patents and Trademarks, please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

John Nelson
Brian Walker
Neil McFerran
Patrick Harriott

1-8-01

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: November 15 and 16, 2000, respectively

2. Name and address of receiving party(ies):

Name: The Queen's University of Belfast

Internal Address:

Street Address: 8 Malone Road

City: Belfast BT9 5BN

State: UK ZIP:

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

09/673785
filed 10/20/00

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: PAUL A. LESKO, REG. NO. 45364

Internal Address: THOMPSON COBURN LLP

Street Address: ONE FIRSTAR PLAZA

City: ST. LOUIS

State: MO ZIP: 63101

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

- ☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account
☐ Authorized to be charged to deposit account

8. Deposit account number:

20-0823

01/22/2001 DBYRNE 00000072 09673785

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40.00 00

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

PAUL A. LESKO, Reg. No. 45364

Name of Person Signing

Signature

3

Date

Total number of pages including cover sheet, attachments, and document:

January 9, 2001

ASSIGNMENT - U.S.A.

WHEREAS I NELSON, John, 59 Ashley Avenue, Belfast BT9 7BU, United Kingdom, WALKER, Brian, 10 Castlevue, Dundrum BT33 0AS, United Kingdom, McFERRAN, Neil, 65 Marlborough Park South, Belfast BT9 6HS, United Kingdom and HARRIOTT, Patrick, 12 William Alex Park, Finaghy, Belfast Bt10 0LN, United Kingdom (hereinafter referred to as "the Undersigned") having made an invention entitled "Peptide Fragments of Murine Epidermal Growth Factor as Laminin Receptor Targets" as set out in International PCT Application No PCT/GB99/01211 filed 21 April 1999, for which the Undersigned executed an application for United States Letters Patent on the date hereof,

WHEREAS The Queen's University of Belfast, 8 Malone Road, Belfast BT9 5BN, United Kingdom (hereinafter referred to as "Assignee") is desirous of acquiring the entire right, title and interest in said invention, said application, and all United States Letters Patent issuing for said invention,

NOW THEREFORE in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the Undersigned, intending to be legally bound, does hereby sell, assign and transfer to Assignee the entire right title and interest for the United States of America, its territories and possessions in said invention, including said patent application, all divisions and continuations thereof, and all Letters Patent and reissues thereof issuing for said invention in the United States of America.

It is agreed that the Undersigned shall be legally bound, upon request of Assignee its successors or assigns or a legal representative thereof, to supply all information or evidence of which the Undersigned has knowledge or possession relating to the making and practice of said invention, to testify in any legal proceedings relating thereto, and to execute all instruments proper to patent the invention in the United States of America in the name of Assignee. If the Undersigned includes more than one individual, these

obligations shall apply to all of the Undersigned both individually and collectively.

The rights and property herein conveyed by the Undersigned are free and clear of any encumbrance.

EXECUTED by the Undersigned the place and date shown below.

(signature) John Nelson (place) Queen's University, Belfast
John Nelson
(date) 16th Nov 00

(signature) Brian Walker (place) Queen's University Belfast
Brian Walker
(date) 16th / 11 / 2000

(signature) N.V. McFerran (place) Queen's Belfast
Neil McFerran
(date) 15th Nov 2000

(signature) Patrick Harriott (place) Queen's University Belfast
Patrick Harriott
(date) 16th Nov 2000